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STATE OF HAWAII

REQUEST FOR EXEMPTION FROM CHAPTER 103F, HRS

ADMINISTRATION
STATE PROCUREMENT OFFICE
To: Chief Procurement Officer

From: Department of Public Safety
Department/Division/Agency

Pursuant to § 103F-101(a)(4), HRS, and Chapter 3-141, HAR, the Department requests a procurement exemption to purchase the following:

Title and description of health and human service(s):
Domestic violence intervention (DVI) services for sentenced felon probationers and sentenced misdemeanor probationers who have been convicted of domestic violence offenses and are detained at the Oahu Community Correctional Center.

Provider Name: Parents and Children Together	Total Contract Funds: 38000.00	Term of Contract: From: To: 10/1/05 1/30/06
Provider Address: 1485 Linapuna Street, Suite 105 Honolulu, Hawaii 96819	Contract Funds per Year (as applicable). 38000.00	

Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State:

Please see attached for a summary of procurement actions by the Primary Purchaser (Judiciary) and the after-the-fact secondary purchaser (Department of Public Safety).

A contract (53510) was in place for these services pursuant to an after the fact secondary purchase with the Judiciary. The Judiciary extended the contract for three months (7/1/05 to 9/30/05) and subsequently extended their contract up to June 30, 2007 on August 23, 2005. While PSD received a copy of Judiciary's extension early September, the document was confused with another secondary purchase involving similar services with Child and Family Services. Consequently, the contract with Parents and Children Together (PACT) was not extended.

Although there was no intent to evade procurement procedures, PSD should have executed the supplemental agreement on a timely basis. Unfortunately this oversight has resulted in the after-the fact purchase and request to pay PACT for their services rendered since October 1, 2005 (approx. \$3,000.00). Because the funding expires January 2006, we are also requesting an approval to continue receiving these services from PACT upto January 2006. The REACH grant calls for integrated Domestic Violence Intervention (DVI) services with the Judiciary to enable clients to receive credit post-incarceration for DVI group sessions they attended during incarceration. (Each offender may receive up to 16 sessions credit toward their DVI program once they are released from incarceration to adult probation.)

The following steps have been implemented to help prevent a recurrence of this incident: 1. Purchasing and Contracts will submit weekly updates of items currently outstanding. 2. When needed request the assistance of our user agency to help follow up with the Provider(s) or companion agency/facility regarding contract issues.

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Details of the process or procedure to be followed in selecting the service provider to ensure maximum fair and open competition as practicable:

PACT was selected by the Judiciary as one of their Providers as a result of their RFP for health and human services. PSD then contracted with PACT for their adult DVI services as a secondary purchaser of services. As stated previously, the REACH grants calls for integrated DVI services with the Judiciary.

A description of the state agency's internal controls and approval requirements for the exempted procurement:

Contract will be administered by Maureen Tito, Corrections Program Services-Education
Contract prepared by: Marc Yamamoto, Purchasing and Contracts
Reviewed by: Bryan Yee, Deputy Attorney General
Approved by: Frank J. Lopez, Interim Director

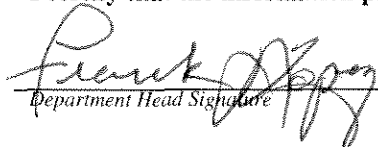
A list of state agency personnel, by position title, who will be involved in the approval process and administration of the contract:

Contract Administrator: Maureen Tito, Corrections Program Services-Education
Purchasing and Contracts: Marc S. Yamamoto

Direct questions to (name & position):	Phone number:	e-mail address:
Marc S. Yamamoto <i>msy 12/4/05</i>	587-1215	marc.s.yamamoto@hawaii.gov

This exemption should be considered for list of exemptions attached to Chapter 3-141, HAR: Yes ☐ No ☒

I certify that the information provided above is to the best of my knowledge, true and correct.



Department Head Signature

Dec. 14, 2005

Date

Frank J. Lopez

Typed Name

Interim Director

Position Title

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Chief Procurement Officer's Comments:

Request is approved for after-the-fact payment of services already delivered through 1/30/06. PSD is again reminded it is their responsibility to maintain proper oversight of its contracts. This includes the submission of requests for exemption, when appropriate, in a timely manner. The secondary purchase process is designed to provide more effective, efficient contracting by combining purchases through coordination and planning by the purchasers. Should this service be procured in the future, PSD should procure pursuant to section 3-143-608(a)(2), HAR, as a planned secondary purchase since the need for the service is anticipated.

Please ensure adherence to applicable administrative requirements.

☒ Approved

☐ Denied


Chief Procurement Officer

12/30/05
Date

cc: Administrator
State Procurement Office

**DEPARTMENT OF PUBLIC SAFETY
REQUEST FOR EXEMPTION FROM CHAPTER 103F, HRS**

PROVIDER NAME: PARENTS AND CHILDREN TOGETHER

ADDITIONAL INFORMATION:

PROCUREMENT HISTORY:

<u>JUDICIARY</u>	<u>DEPARTMENT OF PUBLIC SAFETY</u>
Procurement Notice: October 25, 2003 POS No: J03040 Due Date: January 17, 2003	
Contract J 04060: July 1, 2003 Contract Term: July 1, 2003 through June 30, 2004	Request For After-The-Fact Secondary Purchase: Approved October 29, 2003 (ATTACHED) Contract No. 51518 Contract Executed: January 8, 2004
Amendment No. 1: Contract Term: July 1, 2004 through Sept 30, 2004 Director signed: October 20, 2004 Revised Service Activities of Provider adding detail to specific tasks and outcomes.	Contract Expired
Amendment No. 2 Contract Term: July 1, 2004 through June 30, 2005	Request For After-The-Fact Secondary Purchase: Approved March 28, 2005 (ATTACHED) Contract No. 53510 Contract Executed: May 18, 2005
Amendment No. 3 Contract Term: July 1, 2005 through Sept 30, 2005 Revised Service Activities of Provider adding detail to specific tasks and outcomes	Supplemental Agr No. 1: July, 1, 2005
Amendment No. 4 Contract Term: July 1, 2005 through June 30, 2007 Director signed: August 23, 2005	Contract Expired

Note: Clarifications/revisions of the tasks and outcomes are too numerous to list on this attachment. Copies of Judiciary's Agreement is available upon request by SPO-H for the purpose of approval this request for exemption from Chapter 103F, HRS.